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EXAMINER

SKURDAL, COREY NELSON

ART UNIT	PAPER NUMBER
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3727

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: page 2 line 4 should read "that can carry antlers."

Appropriate correction is required.

2. The disclosure is objected to because of the following informalities: page 17 line 16 should read "Then a longer length".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 5, and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Guminski (US 2003/0178454).

Regarding claims 1, 2 and 5, Guminski discloses the invention as claimed including: a belt worn article carrier (Fig. 1); an elastic cord 14 with first and second ends 18; an intermediate cord portion at 16; a waist belt with first and second adjustable portions 30 (Figure 3); first buckle 32 and second buckle 34 at adjustable portions 30; a cord reception wall 12; a cord reception channel between 10 and 12; and first and second article attachment means 16 at first and second cord ends.

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Regarding claim 8, Guminski discloses first and second article attachment means for use with antlers 28 (Figure 5).

Regarding claim 9, Guminski discloses attachment means including a first and second article attachment loop 24 at ends of elastic cord 14.

Regarding claim 10, Guminski discloses grommets 20 for receiving the first and second cord ends.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guminski in view of Blechman (US 6,618,863). Guminski discloses the invention substantially as claimed and as applied to claim 1 above, but does not have an intermediate cord position with a cord adjustment loop and lock. However, Blechman teaches the use of a cord 1 with an adjustment loop at 6 and an adjustment lock 5 for the purpose of adjusting the width of a clothing item. The cord adjustment lock includes a spring for clamping the cord and a release button to release the cord, col. 2 lines 35-53. Therefore it would have been obvious to one skilled in the art at the time of invention to provide Guminski with a cord adjustment loop and lock in order to reduce the belt width and increase the cord tension.

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5. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guminski in view of Chen (US 4,863,083).

Regarding claim 6, Guminski discloses the invention substantially as claimed and as applied to claim 1 above but does not have first and second attachment means being hook and loop strap fasteners. However, Chen teaches the use of a double sided strap with hook and loop fasteners (24, 28) for attaching an article to a belt. Therefore it would have been obvious to provide Guminski with a double-sided strap with hook and loop fastening means instead of the strings 26 to make attaching an article easier.

Regarding claim 7, the modified device of Guminski discloses the claimed invention wherein the straps 24 are double-sided, with hooks and loops on opposite sides (Figure 1), effectively satisfying the claims.

6. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guminski.

Regarding claims 11-13, Guminski discloses the claimed invention except for an auxiliary elastic cord for attaching additional articles. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided Guminski with a second elastic cord 14, the same as described above in claims 1, 2, and 5, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. Furthermore, Guminski discloses alternate embodiments (Figures 1 and 12) with multiple cords and attachment means 86 for attaching at least 4 articles.

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Regarding claim 12, Guminski discloses the embodiment of Figure 11 where an elastic loop is provided "for additional devices, such as doe bleats and buck grunts" [0010], satisfying the claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Marino (US 4,751,923) discloses a belt device for supporting articles. Miller (US 6,478,464) discloses a retention device. Zinna (US 5,299,324) discloses a belt with an attachment system. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey N. Skurdal whose telephone number is 571-272-9588. The examiner can normally be reached on M-Th 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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